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PATENT
Attorney Docket 467XXB

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)

Swartz et al.)

Serial No.: 09/487,923)

Filed: 1/19/00)

Art Unit: 2876

Examiner: St. Cyr, Daniel

#16
Response
J. McMiller
5/8/02

For: PORTABLE SHOPPING FULFILLMENT SYSTEM

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

REPLY TO OFFICE ACTION DATED JANUARY 28, 2002

Favorable reconsideration of the above-identified patent application is respectfully requested in view of the following comments.

Claims 10 and 39-45 are currently pending in the subject application, and are presently under consideration.

Common Ownership

Applicants confirm that the subject matter of all claims was commonly owned at the time the invention claimed therein was made.

Rejection Under 35 U.S.C. 103(a)

Claims 10, 39-43, and 45 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Johnsen (U.S. Pat. No. 5,250,789) in view of Shah et al. (U.S. Pat. No. 5,428,546) and Keller (U.S. Pat. No. 4,771,840). Claim 44 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Johnsen as modified by Shah et al. and Keller

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